

AF/IFW/3736



UNITED STATES PATENT AND TRADEMARKA OFFICE
BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCE

Ex parte : Stephen Nuss
Serial No. : 09/760,136 : Confirmation No. 2264
Filed : January 12, 2001 : September 14, 2006
For : TITANIUM MOLYBDENUM ALLOY GUIDEWIRE

STATUS INQUIRY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

On June 7, 2006, the Board of Patent Appeals and Interferences issued an Order returning the subject application to the Examiner and directing the Examiner, *inter alia*, to notify Appellant to file a Supplemental Appeal Brief. To date, no such notification has been received.

On August 15, 2006, applicant's attorney called and spoke with the Examiner asking when he would issue an Official Action setting a date for submission of the corrected Appeal Brief. The Examiner indicated that he would get one out or about August 23, 2006. Since nothing has been received, this status inquiry was deemed to be in order.

Over one year has passed since the Notice of Appeal was filed and the application has been pending for more than five years. Accordingly, it prompt action pursuant to the Board's Order of June 7, 2006, is respectfully requested.

Respectfully submitted,

NIKOLAI & MERSEREAU, P.A.

A handwritten signature in black ink, appearing to read "T. Nikolai", with a stylized flourish at the end.

Thomas J. Nikolai

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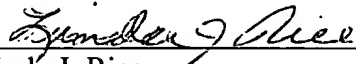
Fax: 612-349-6556



CERTIFICATE OF MAILING

I hereby certify that the foregoing Status Inquiry, in application Serial No. 09/760,136, filed on January 12, 2001, of Stephen Nuss entitled "Titanium Molybdenum Alloy Guidewire" is deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, postage prepaid, on September 14, 2006.

Date of Signature: September 14, 2006.



Linda J. Rice
On Behalf of Thomas J. Nikolai
Attorney for Appellant